

Atty. Docket No.: 04003.1010

REMARKS

This is a full and timely response to the outstanding final Office Action mailed May 6, 2004. Claims 1 - 8, 10 and 11 remain pending. Applicants amended claims 1, 10 and 11 as indicated above. No new matter has been added. Applicants respectfully request that the application and presently-pending claims be reconsidered and allowed.

I. Claims 1 - 8, 10 and 11 are Patentable Over U.S. Patent 6,512,465

The Office Action rejects claims 1 - 8, 10 and 11 under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,512,465 to Flick ("the '465 patent"). Specifically, the Office Action alleges that the '465 patent discloses all of the elements of claims 1 - 8, 10 and 11.

Applicants respectfully assert that this rejection is improper for at least the reason that the '465 patent does NOT disclose, teach, or suggest each of the elements/limitations/features of the claims. In particular, Applicants respectfully assert that the '465 patent does not disclose, teach, or suggest the claimed element/limitation/feature of *altering the programmable criteria and/or the report intervals via remote commands* -- which is recited in each of claims 1 - 8, 10 and 11. For example, in order to conserve power, wireless resources, *etc.*, a mobile unit may report status information at various intervals and based on various programmable criteria. The methods and systems recited in claims 1 - 8, 10 and 11 enable the criteria and/or the report intervals by which the mobile unit is programmed to be altered based on remote commands. In this manner, a remote system may alter the programmable criteria and/or the report intervals of a particular mobile unit. Therefore, in addition to conserving power, wireless resources, *etc.*, the methods and systems recited in claims 1 - 8, 10 and 11 provide a flexible mechanism whereby the reporting intervals and/or the programmable criteria of the mobile unit(s) may be altered.

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The '465 patent discloses a vehicle tracking system which enables wireless transmission devices 44 associated with a vehicle 21 to transmit vehicle position data to a monitoring station 30 based on a predetermined schedule or a predetermined event. The predetermined schedules and events are defined in memory associated with the wireless transmission device 44. Upon the occurrence of the predetermined events or in accordance with the predetermined time schedule, the wireless transmission device 44 transmits the location of the vehicle 21. Unlike the systems and methods of claims 1 - 8, 10 and 11, however, the '465 patent does NOT disclose, teach, or suggest *altering the predetermined schedule or predetermined event via remote commands*.

Therefore, Applicants respectfully submit that claims 1 - 8, 10 and 11 are patentable over the '465 patent for at least the reason that each claim includes the limitation/feature/element of altering programmable criteria and/or reporting interval(s) of a mobile unit via remote commands. Accordingly, Applicants respectfully request that the rejection of claims 1 - 8, 10 and 11 be withdrawn and the claims be allowed.

Applicants note that dependent claim 4 is patentable over the '465 patent for the additional reason that the '465 patent does not disclose, teach, or suggest the claimed feature/limitation/element of broadcast criteria for a mobile unit which is used to determine "if the mobile unit has entered or exited a predetermined geographical zone." Furthermore, dependent claim 7 is patentable over the '465 patent for the additional reason that the '465 patent does not disclose, teach, or suggest the claimed feature/limitation/element of broadcast criteria for a mobile unit which is used to determine "if the mobile unit has exited a geographically defined zone." For these additional reasons, Applicants respectfully submit that dependent claims 4 and 7 are patentable over the '465 patent and, therefore, should be allowed.

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CONCLUSION

For at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims 1 - 8, 10 and 11 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 804-9080.

Respectfully submitted,



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